

In the claims

Please replace originally filed claims with the claims indicated below:

Patent Claims

1. (original) δ crystalline form of perindopril erbumine, characterised by the following X-ray diffraction data (measured on a powder diffractometer with CuK α irradiation):

Angle 2 theta ($^{\circ}$)	Lattice spacing d (\AA)	Relative intensity I/I_{\max} (%)
5.27	16.79	2
8.93	9.93	100
9.75	9.10	32
10.65	8.34	10
14.63	6.10	25
14.97	5.97	39
15.27	5.85	48
15.95	5.61	53
17.27	5.19	18
17.87	5.02	15
18.63	4.83	13
19.99	4.51	29
20.37	4.43	26
21.31	4.24	57

21.83	4.15	37
22.49	4.03	26
23.15	3.92	19
23.65	3.84	29
23.99	3.79	16
24.71	3.69	15
25.33	3.60	15
25.75	3.55	15
26.43	3.46	21
26.77	3.42	18
28.19	3.26	24

2. (original) ϵ crystalline form of perindopril erbumine, characterised by the following X-ray diffraction data (measured on a powder diffractometer with $\text{CuK}\alpha$ irradiation):

Angle 2 theta ($^{\circ}$)	Lattice spacing d (\AA)	Relative intensity I/I_{\max} (%)
5.28	16.75	2
8.43	10.52	22
8.87	10.00	100
9.45	9.39	92
10.01	8.87	20

13.58	6.57	6
14.21	6.28	14
14.79	6.04	61
15.31	5.84	53
15.84	5.65	49
16.43	5.45	13
16.84	5.32	13
17.65	5.09	18
18.65	4.82	11
19.87	4.54	29
21.21	4.26	49
21.79	4.15	55
22.79	3.98	27
23.52	3.86	30
24.25	3.75	25
25.83	3.54	23
26.55	3.45	25
27.25	3.37	15
28.11	3.27	27

3. (currently amended) Crystalline forms of perindopril erbumine according to claim 1 or 2 for use as therapeutic active substances.

4. (currently amended) Medicaments, containing a crystalline form of perindopril erbumine according to claim 1 or 2.

5. (currently amended) A method for Use of the crystalline forms of perindopril erbumine according to claim 1 or 2 in the treatment of cardiovascular diseases and in the preparation of corresponding medicaments comprising the steps of:

providing a crystalline forms of perindopril erbumine according to claim 1;
processing said crystalline forms of perindopril erbumine together with a
pharmaceutically acceptable carrier material to form a medicament; and
administering said medicament to an individual suffering from a
cardiovascular disease.

6. (currently amended) A method for Use according to claim 5, wherein the treatment of cardiovascular diseases, according to claim 5, where said cardiovascular diseases are high blood pressure and heart failure.

7. (original) Process for the preparation of perindopril erbumine of the δ crystalline form according to claim 1, characterised in that

- a) perindopril erbumine of any crystalline form is recrystallised at from 30 to 45°C from tert-butyl methyl ether containing from 1.5 to 2.5 % (v/v) water, and the precipitate obtained is stirred for at least 15 hours at from 30 to 45°C after the removal of water;
or
- b) perindopril erbumine of the α or β crystalline form is stirred at from 33 to 38°C in tert.-butyl methyl ether containing from 0.9 to 1.4 % (v/v) water with seeding with the δ crystalline form.

8. (original) Process for the preparation of perindopril erbumine of the ϵ crystalline form according to claim 2, characterised in that

- a) perindopril erbumine of any crystalline form is recrystallised at from 30 to 45°C from tert.-butyl methyl ether containing from 1.5 to 2.5 % (v/v) water; or
- b) perindopril erbumine of the α or β crystalline form is stirred at from 28 to 35°C in tert.-butyl methyl ether containing from 0.9 to 1.4 % (v/v) water with seeding with the ϵ crystalline form; or
- c) perindopril erbumine of the α or β crystalline form is stirred at from 35 to 38°C in tert.-butyl methyl ether containing from 1.5 to 2.0 % (v/v) water.

9. (new) Crystalline forms of perindopril erbumine according to claim 2 for use as therapeutic active substances.

10. (new) Medicaments, containing a crystalline form of perindopril erbumine according to claim 2.

11. (new) A method for the preparation of medicaments comprising the steps of: providing a crystalline forms of perindopril erbumine according to claim 1; processing said crystalline forms of perindopril erbumine together with a pharmaceutically acceptable carrier material to form a medicament.

12. (new) A method for the preparation of medicaments comprising the steps of: providing a crystalline forms of perindopril erbumine according to claim 2; processing said crystalline forms of perindopril erbumine together with a pharmaceutically acceptable carrier material to form a medicament.

13. (new) A method for the treatment of cardiovascular diseases comprising the steps of: providing a crystalline forms of perindopril erbumine according to claim 2; processing said crystalline forms of perindopril erbumine together with a pharmaceutically acceptable carrier material to form a medicament; and administering said medicament to an individual suffering from a cardiovascular disease.